



1652

PATENT

Attorney Docket No. FORS-04323

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Wu-Po Ma *et al.*
Serial No.: 09/577,304
Filed: 05/24/00
Entitled: Improved Enzymes For The Detection Of Specific Nucleic Acid Sequences

Group No: 1652
Examiner: C. Patterson

AMENDMENT TRANSMITTAL

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BOX NON FEE AMENDMENT

Assistant Commissioner for Patents

Washington, D.C. 20231

TECH CENTER 1600/2900

CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)(1)(i)(A)

I hereby certify that this correspondence (along with any referred to as being attached or enclosed) is, on the date shown below, being deposited with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.

Dated: December 9, 2002

By: 

Mary Ellen Waite

Sir or Madam:

Transmitted herewith is an amendment for this application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA		RATE	ADDITIONAL FEE
Total Claims	23	—	57	0	×	18.00	\$0.00
Independent Claims	1	—	3	0	×	84.00	\$0.00

TOTAL DUE 0.00

1. No additional fee is required.
2. Please charge any additional fees, including any fees necessary for extensions of time, or credit overpayment to Deposit Account No. 08-1290. An originally executed duplicate of this transmittal is enclosed for this purpose.

Dated: December 9, 2002

By: Mary Ann Brow
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San Francisco, California 94105
415/904-6500



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Ma et al.
Serial No.: 09/577,304
Filed: 05/24/00
Entitled: **Improved Enzymes for the Detection of Specific Nucleic Acid Sequences**

Group No.: 1652
Examiner: C. Patterson

#17
MQJ
1/9/03
(NE)

**RESPONSE TO OFFICE ACTION
MAILED OCTOBER 7, 2002**

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Assistant Commissioner for Patents
Washington, D.C. 20231

TECH CENTER 1600/2900

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Dated: December 9, 2002

By: Mary Ellen Waite

Mary Ellen Waite

Sir:

The following communication is responsive to the Office Action mailed October 7, 2002, with a two-month period for response ending on Saturday, December 7, 2002, and ending effectively on December 9, 2002. Applicants respectfully request reconsideration of the application in view of the following remarks.

REMARKS

Claims 1-8, 10, 12-15, 18, 19 and 50-57 are pending in the present application. These claims stand rejected under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventors had possession of the claimed invention at the time the application was filed. These claims also stand rejected under 35 U.S.C. §112, first paragraph, as allegedly containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to make and/or use the invention.

Claims 1-8, 10, 15, 18, 19, and 50-57 Are Fully Enabled And The Inventors Were In Possession of the Claimed Invention At the Time the Application Was Filed.

I. The Specification Teaches One Skilled in the Art How to Make the Claimed Compositions.

The Examiner acknowledges that the specification enables the preparation of crude cell lysates that can be tested for enzymatic cleavage activity (Office Action mailed October 7, 2002,